C 1 Sub F 7

4. (Twice Amended) A method of modifying violaxanthin de-epoxidase [VDE] levels in a host cell comprising growing a host cell having a construct comprising, in the order of transcription, [a plant transcription initiation region,] the DNA sequence of Claim 3, and a transcriptional termination region, wherein said promoter sequence comprises a plant transcription initiation region.

5. (Reiterated) The method of Claim 4 wherein said construct further comprises a translation initiation region and a plastid translocation sequence.

9. (Reiterated) A method of modifying zeaxanthin levels in a plant comprising growing a plant having a construct comprising, in the order of transcription, [a plant transcription initiation region,] the DNA sequence of Claim 3 and a transcriptional termination region, wherein said promoter sequence comprises a plant transcription initiation region.

10. (Reiterated) A plant, plant cell or other plant part comprising the DNA sequence of Claim 3.

C 2 Sub F 3

11. (Twice Amended) A plant, plant cell or other plant part produced by the method of any one of Claims 4, 5[,] and 9.

REMARKS

Pending Claims

Claims 3, 4, 5, 9, 10 and 11 remain pending in the application

Supplemental Amendments

Claim 3 has been amended to put the claim into a condition which is consistent with the claims allowed in pending parent case 08/747,574 (copies of those claims are attached to this communication). Claim 3 now recites an isolated DNA sequence, which encodes a violaxanthin de-epoxidase protein having certain limitions, and which is joined to a heterologous promoter sequence. Support for the amendment to Claim 3 is found in the specification at pages 22-23.